



Dkt. 59131/JPW/AJM/AG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Taka-Aki Sato
U.S. Serial No. : 09/327,750 Examiner: R. Landsman
Filing Date : June 7, 1999 Group Art Unit: 1647
For : GENE ENCODING NADE, P75^{NTR}-ASSOCIATED CELL
DEATH EXECUTOR AND USES THEREOF

1185 Avenue of the Americas
New York, NY 10036
June 14, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION IN RESPONSE TO
APRIL 13, 2005 NOTICE UNDER 37 C.F.R. §1.251

This Communication is submitted in response to an April 13, 2005 Notice Under 37 C.F.R. §1.251. A copy of the April 13, 2005 Notice is attached hereto as **Exhibit A**. The Notice indicates that certain papers listed below pertaining to the above-identified application cannot be located after a reasonable search.

1. Request for Corrected Filing Receipt dated February 22, 2000 and received by the Patent Office on February 28, 2000;
2. Various IB Documents and Papers Submitted with the 371 Application and Non-Patent Literature dated March 8, 2001 and received by the Patent Office on March 13, 2001; and
3. Mail Letter Requiring CRF dated March 20, 2001.

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The Notice further indicates that applicant is requested to provide copies of the papers listed above accompanied by a statement asserting that these copies are complete and accurate copies of applicant's record of these papers.

In response, applicant submits copies of (1) a February 22, 2000 Communication To Correct Error In Filing Receipt including Exhibits A and B, attached hereto as **Exhibit B**; (2) a March 8, 2001 Supplemental Information Disclosure Statement including Exhibits A-E, attached hereto as **Exhibit C**; and (3) a March 20, 2001 Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office, attached hereto as **Exhibit D**. In addition, applicant attaches hereto as **Exhibit E** a signed statement in accordance with 37 C.F.R. §1.251(a)(1)(iii).

Applicant notes that the papers requested in the April 13, 2005 Notice are publicly available on the United States Patent and Trademark Office PAIR database. Nevertheless, after Aude Gerspacher, Esq. of the undersigned's office brought this fact to the attention of different representatives at the Image Assistance Center during several telephone conferences, applicant was still required to submit these papers, one of which was issued by the U.S. Patent and Trademark Office.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned

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attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with this Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450 Alexandria, VA 22313-1450.

Alan J. Morrison
Reg. No. 37,399

6/14/05
Date

In re Application of: TAKA-AKI SATO
Application No.: 09/327750
Filing Date: 06/07/99
Title: METHODS FOR SCREENING FOR APOPTOSIS MODULATORS
USING NADE, P75 NTR-ASSOCIATED CELL DEATH
EXECUTOR

Direct to: U. S. Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

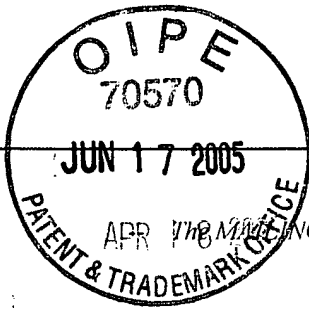
☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

6/13/05
Date

[Signature]
Signature
Alan S. Morrison
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

APR 17 THE MISSING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

OK

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

- Request for Corrected Filing Receipt, dated 2/28/00
- Various IB Documents and Papers Submitted with the 371 Application and Non Patent Literature, dated 3/13/01
- ✓ • Mail Letter Requiring CRF (Unreadable, Non-Compliant, Not Submitted), dated 3/20/01

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U. S. Patent and Trademark Office
Mail Stop: **Duplicates**
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P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

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PTO Doc. Code: R251.NTC (Rev. 03/05)